

APPLICATION OF JOHN J. CURTIN AND
OTHERS FOR LEAVE TO AMEND THEIR
PETITION AND APPLICATION FOR APPROVAL
OF PROJECT - WHITNEY STREET PROJECT
PARCEL # 3.

Pursuant to the provisions of General Laws Chapter 652 Acts of 1960, Section 13, the undersigned request leave of the Boston Redevelopment Authority for permission to amend their application for Whitney Street Project Parcel # 3, which said amendments do not involve "fundamental" changes.

References in this application for amendment are to paragraph numbers and Exhibits as contained and set forth in the original application of the undersigned dated February 2, 1962, hearing upon which was held on May 23, 1962.

It is respectfully requested that the following amendments be allowed to said original application.

APPLICATION

1. Paragraph 5 be amended by striking out the following on Page 3 and Page 4:

"The structure intended to be built will consist of an apartment house of twenty-five (25) stories in height, measuring approximately two hundred thirty-six (236) feet in height plus equipment penthouse. The building will contain two (2) elevators, two (2) stairways and a total of Two hundred eighty-eight (288) apartments, which shall be laid out twelve (12) apartments per floor, each floor consisting of four (4) two (2) bedroom apartments and eight (8) one (1) bedroom apartments. The main or street floor will contain a lobby, equipment and utility rooms, superintendent's apartment and manager's office, laundry, public toilets, storage facilities and two (2) stores for

retail and service type business. Parking will be provided on two (2) levels for approximately two hundred (200) vehicles. This is approximately seventy (70%) per cent of the number of apartments. Structure will be reinforced concrete frame and columns and concrete floor slabs".

and substituting therefor the following:

"The structure intended to be built will consist of an apartment house of thirteen (13) stories in height measuring approximately one hundred twenty (120) feet in height plus an equipment penthouse. The building will contain two (2) elevators, two (2) stairways, and a total of one hundred forty-four (144) apartment units, which shall be laid out in twelve (12) apartment units per floor, each floor consisting of four (4) two (2) bedroom apartments and eight (8) one (1) bedroom apartments. The main or street floor will contain lobby, equipment and utility rooms, superintendent's office and manager's office, laundry, public toilets and storage facilities. Parking will be provided on two (2) levels for approximately two hundred (200) vehicles. This is approximately one hundred thirty (130%) per cent of the number of apartments having parking facilities. Structure will be reinforced concrete frame and columns and concrete floor slabs".

2. Paragraph 5, line 9 on Page 4 be amended by striking out "1962" and substituting therefor "1963".

3. Paragraph 6 on Page 5, line 4 be amended by striking out the following "Seven Million (\$7,000,000.00) Dollars" and substituting therefor "Three Million Five hundred thousand (\$3,500,000.00) Dollars".

4. Paragraph 7, Page 5, line 18 be amended by striking out the following "Six Million Three hundred thousand (\$6,300,000.00) Dollars" and substituting therefor "Three Million One hundred

Fifty thousand (\$3,150,000.00) Dollars ", and on Page 6 lines 3 and 4 be amended by striking out the following "Six Hundred Fifty Thousand (\$650,000.00) Dollars" and substituting therefor "Three hundred twenty-five thousand (\$325,000.00) Dollars".

EXHIBITS

5. Exhibit C annexed to said application being "Agreement for Lease dated June 3, 1960" be amended in the following manner and respects:

Article 4, Page 7, fourth line thereof by striking out the following "270" and substituting therefor the following "approximately 150"; and also be amended with reference to minimum ground rental to be paid in accordance with such recommendation as may be made or required by the Federal Housing Administrator and as a result of the number of dwelling units intended to be constructed on the leased premises having been substantially decreased in accordance with this amendment.

6. Exhibit I annexed to said original application be amended in the following manners and respects:

A. Dimensional Requirements

1. Height - line 2 be amended by striking out "293.0 feet" and substituting therefor "approximately 120 feet".

Paragraph B. 1. Page 3, lines 6 and 7 be amended by striking out the words "retail and service stores".

Paragraph V c. on Page 5 be amended by striking out the following:

"c - That use be permitted in the project for two retail or service stores".

EXECUTED this 25th day of June 1963

John J. Curtin
John J. Curtin

Frederick J. Mahony
Frederick J. Mahony

Lillian K. Drescher
Lillian K. Drescher

Herbert B. Kerr
Herbert B. Kerr

Sabestino Volpe
Sabestino Volpe

Harry D. Barr
Harry D. Barr

Myself, SS

COMMONWEALTH OF MASSACHUSETTS

June 25, 1963

Then personally appeared the above-named JOHN J. CURTIN, SABESTINO VOLPE, LILIAN K. DRESCHER, HARRY D. BARR and FREDERICK J. MAHONY and being duly sworn, severally made oath to the best of their knowledge and belief the statements contained in the foregoing Application are true, before me,

Melvin Newman
Melvin Newman, Notary Public
My Comm. Exp: Oct. 20, 1967

Myself, SS

COMMONWEALTH OF MASSACHUSETTS

June 25, 1963

Then personally appeared the above-named HERBERT B. KERR and being duly sworn, made oath to the best of his knowledge and belief the statements contained in the foregoing Application are true, before me,

Melvin Newman
Melvin Newman, Notary Public
My Comm. Exp: Oct. 20, 1967

Report and Decision

on

Application as Amended by John J. Curtin and Others

for

Authorization and Approval

of

Project under Chapter 121A of the General Laws

of the Commonwealth of Massachusetts

and Chapter 652 of the Acts of 1960

and for

Consent

to Formation of a Corporation

to be Organized under the Provisions

of said Chapter 121A

to be known as "Back Bay Towers, Inc."

Report and Decision

on

Application as Amended by John J. Curtin and Others, etc. --

REPORT AND DECISION ON APPLICATION AS AMENDED DATED JUNE 25, 1963, OF JOHN J. CURTIN AND OTHERS FOR CONSENT FOR FORMATION OF BACK BAY TOWERS, INC. AND FOR APPROVAL OF REDEVELOPMENT PROJECT WHITNEY STREET, PARCEL 3.

After public hearing on May 23, 1962, and by vote of the Boston Redevelopment Authority a report and decision on the original application by John J. Curtin and others for approval and consent to the formation of Back Bay Towers, Inc. and Redevelopment Project Whitney Street Parcel 3 was approved by vote of the Authority under date of June 27, 1962.

Request was made by the applicants under date of June 5, 1963, for leave to amend their application by changing the unit content and height of proposed building and for a finding by the Authority that the changes do not involve "fundamental changes" and were permissible under the provisions of General Laws, Chapter 652, Section 13, by Acts of 1960, and rules and regulations.

By vote of the Authority dated June 5, 1963, leave was granted to file such an amended application and a finding was made that such an amended application did not involve "fundamental changes".

In accordance with said amended application, the Authority does hereby ratify and adopt its previous draft report and decision dated June 27, 1962, on the application of John J. Curtin and others with the following substitutions and amendments. The following references by way of amendment are to the

original paragraph identification and page numbers of the original draft Report and Decision of the Authority dated June 27, 1962.

1. Page 3, 1st paragraph, line 8, by striking out the numeral "25" and substituting therefore the following "13".
2. By striking out in 1st paragraph on page 3, line 9, the number 288 and substituting therefore 144.
3. In the opinion of the Authority the cost of the project has been correctly estimated in the amended application and the project will be practical.
4. Paragraph 1 on page 7 as the result of the amended application in change of height is no longer applicable.
5. Paragraph 2 on page 7 and page 8 as a result of the amended application is no longer applicable.
6. The Authority hereby finds that the amended Application and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws, Chapter 652 of the Acts of 1960, and the applicable Rules and Regulations of the Authority, and that the changes requested by the applicants are not fundamental. For these reasons and for the reasons set forth in the Application as amended and supporting documents, including Exhibit I, the Authority does hereby approve the Project and consents to the formation of Back Bay Towers, Inc., as requested in the

Application as amended, and consents to the filing of the Articles
of Organization for such corporation substantially in the form
annexed to said Application as amended.

Amended by vote of the Authority on July 23, 1964 as follows:

VOTED: that the Report and Decision on the Application as Amended by John J. Curtin and Others for authorization and approval of the project and for consent to the formation of Back Bay Towers, Inc., adopted by the Authority on June 26, 1963, be amended to grant the following deviations:

1. Permission is hereby granted to deviate from Section 1006a of the Boston Building Code exterior wall window requirements for kitchens containing more than 70 square feet in area, provided the kitchens are adequately lighted and properly ventilated to the satisfaction of the Building Commissioner, City of Boston.
2. Permission is hereby granted to deviate from Section 1005a of the Boston Building Code exit requirements for four-room apartments, provided that all four-room apartments are located in corridors having two remote exits.

